

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
CONTINGENCY PLAN Q & A DOCUMENT
APRIL 8, 2011

We continue to hope that Congress will reach an agreement to avoid a government shutdown, but we are working to prepare for all possible scenarios. The following document provides information about the Office of Surface Mining's contingency plans in the event of a government shutdown.

Are there any OSM employees who are considered exempt from the shutdown?

Out of OSM's 520 current full-time employees, 512 would be furloughed initially, with only a few employees designated as excepted— to protect life or property.

What will be the role of any excepted employees?

The 12 non-furloughed employees would range from the Director and Deputy Director to Regional Directors who would be responsible for managing and coordinating essential field operations of the OSM Federal and State regulatory and AML programs.

What tasks will be halted and what will continue?

Among other things, the following OSM services would be shut down:

- Federal oversight of active coal mines.
- Federal oversight of abandoned coal mines.
- Federal regulation and inspection of coal mines, primarily in Tennessee and on Indian Lands – except in emergency situations.
- Federal review and issuance of coal mining permits, permit revisions and mine plans reviews.
- Technical Assistance to States and Tribes.
- Technical Training sponsored by OSM.
- Access to shared services provided to States and Industry via websites, such as the Applicant Violator System, Abandoned Mine Land Inventory, technical software applications.

Certain emergency operations would continue. They include:

- Abandoned Mine Land Emergency declarations if requested by States. This is because some states require these declarations in order to expedite abatement of problems related to public health and safety, or environmental damage and protection of property.

- Federal Abandoned Mine Land emergencies. These are unanticipated emergency situations caused by past coal mining that if left unaddressed will cause public health and safety issues or damage to the environment or property.
- Citizens Complaints – alleged violation or imminent harm on active coal mine sites. OSM’s Regional Directors will take calls from citizens, and forward to the appropriate State regulatory authority or OSM will address if necessary in order to initiate/remedy an imminent harm situation.
- Federal regulation of active coal mine sites – imminent danger to health, safety, and environmental damage. OSM is responsible for the regulation of surface coal mining operations in Tennessee, Washington, and on Indian Lands. If an imminent harm situation occurred at a site, OSM would have staff on call to address the situation.

Will coal permit reviews continue or will they be halted if the government shuts down?

Coal mining permit reviews and issuance would be halted if the government shuts down.

How will the idling of these coal-related tasks impact the industry?

Industry may see a delay in the issuing of mine permits and mine plan reviews.

Will any mines have to shut down or reclamation work have to stop?

Because mine inspections are primarily carried out by states that have achieved primacy, mining could continue. Reclamation is also primarily overseen by the states, so it could also continue in the event of a government shutdown.